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A Letter to the Right Hon-
orable Edmund Burke, Paymaster
of his Majesty's Forces

By
John Scott

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AT LOS ANGELES



A
L E T T E R

TO THE

RIGHT HONOURABLE

EDMUND BURKE,

PAYMASTER GENERAL

OF HIS

MAJESTY'S FORCES.

BY

MAJOR JOHN SCOTT.

L O N D O N :

PRINTED FOR J. STOCKDALE, OPPOSITE
BURLINGTON HOUSE, PICCADILLY.

M.DCC.LXXXIII.

A

L E T T E R

TO THE

SIGHT HONOURABLE

EDMUND BURKE

PAYMASTER GENERAL

OF HIS

MAJESTY'S FORCES

BY

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A
L E T T E R

TO THE

RIGHT HONOURABLE

EDMUND BURKE.

OCT 10 1940

Right Honourable Sir,

IN the distribution of different parts to the ministerial orators who support the new India bill, in the application of their different powers to this one important object, it was natural that all the topics which afforded play to a wandering imagination, and to tragic description, should have been allotted to Mr. Burke. The field of fancy is almost exclusively your's; and when it was resolved, that in order

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der to palliate the intended invasion of our charter and our property, the atrocious acts of barbarity and cruelty committed by the servants of the East-India Company abroad, should be held up to the detestation of the House, and of the public, and form one grand engine of the attack, your talents both for the *pathetic* and the *fabulous*, gave you a double claim to this branch of the service. Your feelings are so trembly acute, your nerves are so strung to compassion, your language is so attuned to lamentation, that forms of horror and distress, scenes of destruction and desolation, seem to arise *spontaneously* in your mind, and to occupy that portion of the sensorium, which, in men of irritable habits, is the province of reason, of judgment, and of common sense. I am, therefore, one of those who were exceedingly surprised that the right honourable framer of the new bill should so palpably have encroached upon your privilege in his late harangues, as to exhibit a very glowing and highly-coloured picture of the inhumanities of our countrymen in India. There is honour among thieves: surely it cannot be wanting among Ministers. But I shall hereafter be less inclined to wonder at any unwarrantable attempt to invade the prerogatives of the

subject,

subject, since I have seen, among yourselves, so glaring an invasion of your's!

If avarice and rapacity were subjects open to the eloquence of Mr. Fox, the tortures, the bloodshed that accompanied them were themes that appertained solely to Mr. Burke. The right honourable *Secretary* might inveigh as he pleased on the manner in which the debts due to the Company had been contracted—but it belonged to the right honourable *Paymaster* to expatiate on the severities necessary for extorting payment of them. In short, Sir, you have been superseded in your functions: *The Minister*, who is soon to unite in his own person the rights of the Company, the powers of the Crown, and the riches of the East, has begun his career of injustice by excluding you from the path in which you hoped to have trodden without a rival. *He* snatched from your hands Colonel Boujour's letter—*He* told the piteous tale of Cheyt Sing, the woes of Asophrul Dowla, and the misfortunes of his grandmother! I wonder you can ever forgive him. To take your long prepared victim out of your clutches, to go out of his way, and against his own repeated professions, for the sake of abusing the Governor General of

Bengal, and to abuse him too for a sanguinary, murderous disposition, of which till that moment you had prided yourself (and with reason) as the sole discoverer, was a hard trial of your patience. But to drive you from every strong hold of your Committee, to leave you nothing but the stale defence of Shah Allum, the expulsion of that virtuous monarch Cossim Ally, and the defraudation of that disinterested Plenipotentiary, Omichund, whereon to erect your plea of participation in the spoils of Hindostan, must engage your very opponents in your behalf. They cannot but have beholden with an eye of pity the shifts to which you were driven, the distress in which you were involved by the necessity of a vague and uninteresting retrospection.

To plunge into the forgotten abyfs of distant revolutions, to revive the convicted slander of artificial famines, to tread on the tender ground of injurious monopolies previous to the year 1772, (*with your friend General Smith at your elbow*) was indeed a bitter pill—but gilded as it is with five and twenty thousand a year from Government to yourself and your relations, you contrived somehow or other to swallow it; and even now that it is down, it cannot fail,

fail, I think, to excite a few qualms — for you must, at times be apprehensive that your language and your conduct on former struggles with respect to India, should live in the world's recollection: that it should be whispered how strenuous and how loud an advocate you were in the year 1772 for the chartered rights of the East-India Company. How you then reprobated the ministerial iniquity of your now-noble friend Lord North — How warmly you defended the innocence of the Company's servants of *that* day — and how quickly, upon a proper application, *pulveris exigui jactu*, you can “renounce your principles, and eat your words.”

In this formal recantation of your un-pensioned habits of thinking and speaking, Mr. Woodfall has been particularly cautious not to omit that you were upon your legs upwards of two hours. This is a morsel of information for us out of doors only. The members who retired to dinner when you got up, knew they had full two hours of spare time; and when they returned, you had not sat down. But as you took only somewhat more than two hours to disgorge all you had taken in during three years of hard labour, and as in that time you contrived to unsay every thing

that you had been heard to utter on the discussion of the Regulating Act of the 13th of the King, I must allow that you performed it *with great expedition*; with an expedition proportioned to the *necessities of the times*, and to the hurry of the whole transaction. The speech which Mr. Woodfall has made for you in Tuesday's Chronicle, deals so exceedingly in *generals*, that I cannot follow up with that accuracy and closeness which I am inclined to bestow upon the subject your "prodigious detail of the conduct of the Company in Asia, from their first establishment there." But I must be permitted to remark, that it is somewhat extraordinary to observe you ostentatiously vaunting your late three-years course of study, as the ground of your claim to the attention of the House, when it is notorious to the most superficial observer of your Reports, that every object of enquiry in your committee, has been religiously confined to the single period of Mr. Hastings's administration, and when it is evident, from the whole tenour of your oration, that you had been almost expressly referred, by a ministerial mandate, to events antecedent to that administration. One article was indeed generously given up to you, wherein there was a possibility of implicating the Governor General:—a history of that pompous

ous non-entity, *the mildest of Monarchs*, that Allum. His *mildness* however I shall leave in your quiet possession; for that quality has been seldom disputed to Monarchs who were without subjects. But that he is “the most beneficent, humane,” (i. e. *mild* once more) “generous,” (i. e. *beneficent*) “wise, philosophical,” (*wise* again) “and religious of men,” I must a little contest with you, notwithstanding your ingenious reduplication of epithets. Of his beneficence I cannot at once recollect an instance, except a donation (hardly gratuitous) of two lacs of rupees—and that portion of his merits you should have left to the panegyric of General Smith. In wisdom I hold him greatly inferior to the Raja of Tanjore; for in the *choice of friends*, which is one great criterion of judgement, the latter has infinitely the advantage. His religion, as it is that of a Mahometan, is of little consideration in a Christian assembly; and you had better have given him a good share of morality; however, I must acknowledge to have heard, that his Majesty is famous for copying the Koran with peculiar neatness of character, and that he is not much interrupted in this august employment by attention to the management of his extensive empire, and to the welfare of his innumerable

rable subjects. Between ourselves, Sir——He is a weak man. Lord Clive gave him the provinces of Corah and Illahabad, which would afford him a handsome maintenance, and were five times as much as he could ever have acquired in any part of India without us : and we also allowed him twenty-six lacs of rupees yearly from Bengal for the support of his dignity. But he was too much of a *philosopher* to attach himself to the good things of this world, so threw himself into the arms of his natural, hereditary, and constitutional enemies the Marattas; ceded to them, *without our consent*, the provinces we had given him, and undertook a chimerical expedition to Dehli. Are you surprised that we took those provinces back again, when the King could not, or would not, keep them ? or that we did not continue him the subsidy of twenty-six lacs of rupees to be lavished away among Marattas ? Self-preservation forced upon us the conduct we observed on that occasion ; it was warmly approved *at home*, by both ends of the town ; and it certainly has contributed more than any other cause, to keep Bengal still in our hands. I hope the new Commissioners will now afford this great and virtuous Prince some solid instance of their compassion — and that they will restore him those provinces,

provinces, or some others in their stead, as well as his subsidy—by way of contrast to the measures of Mr. Hastings.—In the “Magna Charta of Hindostan,” it would be a miserable oversight to omit the Great Mogul; and surely he has a claim upon the justice of the state, and still more upon the gratitude of individuals, for restitution of his countries and revenues.

It does not indeed perfectly meet my comprehension how you could explain the circumstance of the *sale* of this monarch to Sujah Dowla, nor the *sale* of Sujah Dowla *to himself*. No doubt you made this matter perfectly clear to your scanty remnant of an audience, but Mr. Woodfall has sunk the particulars. I know very well, that when his beneficent and philosophical Majesty ran away, we re-assumed the provinces which he chose to evacuate. I know that as they were too difficult to be managed by us, we parted with them for a valuable consideration to Sujah Dowla; by which means we strengthened our own frontier against the Marattas. I know also, that upon various occasions on which we afforded powerful military assistance, or important political services to Sujah Dowla, we endeavoured to balance the ac-

count in some degree, by stipulations for a pecuniary return. If, however, that Visier purchased *himself* by any of those transactions, he certainly thought himself a gainer by the bargain : and as there is evidence before the Select Committee, that he lived and died *in perfect independence*, it is manifest that, in this instance at least, the Company broke through the system of treachery, dishonesty, and injustice, with which you have charged them, by leaving Sujah Dowla in full and quiet possession of himself, after they had thus sold him to himself.

So you have asserted that “ that they sold Ragoba to the Marattas, and the Marattas to Ragoba.” What a childish play upon words ! Did we not in the same manner sell America to France and France to America ? What is there in the resolutions respecting Ragoba to justify such indecent puerilities ? Our Bombay Council had seen *that* Chief the ostensible and the avowed head of the Maratta government. — A revolution displaced him, and he threw himself under our protection. — It was natural he should make liberal offers for our aid in re-establishing his affairs : it was politically just that we should accept them.

Was

Was it ever imputed as a crime to the French Court that King James was received and protected there after his abdication? or can it be doubted that he had bound himself to the performance of most ample concessions, in case of a restoration through the means of France? On that first treaty with Ragoba you mean, I presume, (for I have no data) to ground the sale of the Marattas to *him*; on the treaty of Poorunder you must of course fix the sale of Ragoba to the Marattas — But here, a vote of the House of Commons authorises the sale, by an approbation of that treaty. But the second and late treaty of peace which provides a residence and a stipend in the Maratta dominions for Ragoba, nearly the same as was done by the treaty of Poorunder, has another article, by which “ the English and the Peshwa mutually agree, that neither will afford any kind of assistance to the enemies of the other;” and this inclines you to tremble for the safety of Ragoba. — Had you turned to the sixth article of the same treaty, you would have seen that Ragoba’s quiet abode, comfortable support, and perfect security, is expressly provided for *by name*: and therefore if the Peshwa, or any of his people, offer any injury to Ragoba as long as he continues quiet, *they will*

have infringed the sixth article; and consequently the fourteenth, on which your objection is founded, will have become void of course.

The other Rajas and Princes whom the Company may have *sold*, are all packed up by the *dozen* or *gross* in Woodfall's paper, so that it is not in my power to go into the merits of each particular bargain : but from the general purport of your speech I am led to conclude, that let who will have been guilty of this general auction, this *sale* of Hindostan, the Crown (or rather the present Ministry) is understood to have a right to all the benefits of a purchaser. I am not indeed yet exactly clear whether the present possessions, territories, and sovereignties belonging to the East-India Company, be liable to be ranked among the *lots bought*, or the *lots sold*; but I am sure that Government exhibits at once the most interested eagerness in appropriating the whole to itself, and the most perfect indifference as to the validity of the title by which they are now held. To me it appears very little consonant to justice, that the Crown should profit by the iniquities of the Company. Nothing can be more evident, than that the Crown was not concerned in the *ac-*
sition

sition of the Company's present estates: on what plea should it now assume them? If there were rapacity, or treachery, or fraud, or barbarity, in the manner by which they were first gotten, nothing short of restitution can repair the mischief. Is it less rapacious, or treacherous, or barbarous, for a Government to seize the property of its own subjects, guaranteed to them by frequent acts of its own, than for those subjects to have originally seized it in the same manner from the then lawful owners? Of the 180,000 *square miles*, which this Bill is to vest in the hands of I know not whom — much has been granted by public and authoritative deeds of cession to the East-India Company: — and such is indisputably the tenure of the twenty-four Pergunnahs near Calcutta, and of the province of Gauzipoor and Benares. These are held by grant from the Nabob of Bengal, and the Vizier of Oude, who were then sovereigns, *proprii juris*, and competent to the grant. The Dewanny of Bengal, Bahar, and Orissa rests on a very different title, on a firmaun from the present Mogul, whose power was never acknowledged in any of those provinces, and who by that act gave away what he never could have the smallest

smallest hope of making his own. The *Dewanny* itself, considered as a Mogul establishment, confers nothing more than the appointment to collect the revenues for the Emperor's use. The internal government, the military command, are offices totally distinct, and were never, that I know or suspect, granted to the Company at all. These are branches of the *Nizamut*; and a part of them at least is still exercised under the name, and on the authority, of the Soubadar of Bengal. Surely a Bill brought into Parliament for the express display of national justice, for the declared purpose of doing away former acts of violence and oppression, a Bill which is to benefit both the Company and the Public at home, and to be the *Magna Charta* of Hindostan, should have paid some attention to these differences in the tenures of the Company's possessions. A plea of political necessity may perhaps be sufficient to wrest from them the exercise of *sovereignty*: but their *private* property should at least be inviolate. Even that despotic monarch, the Vizier of Oude, did not at once confiscate to his own use the nett collections of all the Jaghires which he took out of the hand of the Jaghiredars. There is a medium for tyranny itself to observe — and if the Company were

to be deprived of all power, of all credit, of all existence abroad, it would at least have been decent to have left them their house and warehouses at home untouched. A whole province forcibly seized in Asia would have excited less murmur and indignation, than the bursting of a single door in Leadenhall-street: and though your cousin may hector and domineer in the palace of the Rajah of Tanjore, I trust in God that the sag-ends of Mr. Fox's ministry will have the modesty to wait a few months before they assert their superiority over all the dukes and peers of the realm. It cannot however be doubted, but that as soon as this bill is passed, the very secretary of a secretary, the very deputies of those who will then be the masters of the Crown with the title of its servants, will have more real importance, more weight, more efficacy in the government of this devoted country, than the first independent members of the House of Lords.

Much has been said of the insufficiency of the present Court of Directors to manage the Company's affairs; I believe it indeed to have been but indifferently served by some few of them: and the public is at no loss to discover something more than suspicious traces of underhand

management. But in fact, the objections, I find, went not so much to the incapacity of the persons, as to the imperfection of their powers: and I think the four and twenty gentlemen of the present list might have been as competent to the better direction of the Company's concerns, as your sixteen new Directors, had you but given them the same enlarged authority. I would not be personal — and therefore I avoid all comparison of the present objects of preference with the rest of their brethren; as a Proprietor, however, I have something of a plea for knowledge of their several merits, and I own I am in some instances at a loss to divine the motives for their selection. You, Sir, have ascribed much of

“ the evils which have desolated India, to the sort
 “ of persons sent out by the Company. Young men
 “ without education, and with no other talents than
 “ such as matured to rapacity and barbarity. A
 “ *grey-headed Englishman is a phenomenon unknown*
 “ *in India.*” (Vide Morning Chronicle.) Mr. Hornby, surely, who has been at Bombay forty-two years, must have a wonderfully green old age, if he be not yet grey. But perhaps the *grey-headed Receiver in the city* is not satisfied with his present pickings, and this speech is preparatory to his Indian appoint-

appointment. And why object, Sir, to young men? Is there not something to be learnt, is there not some apprenticeship necessary in every sphere of life? Would you have the trade, and the revenue, and the government of all our affairs in India turned over at once to blockheads who have not the smallest idea of the principles of commerce, or of the laws, or the customs, or the language of the country, merely because they can display a few grey hairs? Nor do the young men who are usually sent to India want education so much as you would insinuate. That error perhaps you may have adopted on the observation of some classical deficiencies in one of the luminaries of your Committee: but He has figured most in a military line; and few soldiers, you know, pride themselves in an attachment to the belles lettres. I must beg leave to inform you, Sir, that the Company's service in India is of itself a system (and no bad one) of education for a man of business: and that if you were in habits of conversing with those gentlemen who have come from thence, you would find them at least on a par in liberal and classical accomplishments with any of their home-bred neighbours. Let me add, that Mr. Hastings is, in the strictest sense of the word, *a Scholar*—That his

knowledge of the Persian and Hindostanic dialects is superior to that of most of his countrymen, that in school proficiency he excelled most of his contemporaries at Westminster, and that his style of composition in his native language is such as few writers by profession can emulate. Mr. Rouse, one of your Committee, who (though he went young to India, and continued there several years) had previously received the best of educations, will, I doubt not, corroborate my assertion. "This rapid succession of boys" to which you impute so much of our calamities, is another creature of your own imagination. A moment's glance at the printed lists of the Company's civil and military servants at the different presidencies would have proved the contrary. In Bengal, exclusive of the Governor General, whose services are of more than thirty years standing, the seniors on the civil line take date from 1762—at Madras are several who have been there upwards of twenty five years---at Bombay there are six whose residence is of thirty years duration. But it suited the purpose of the moment that they should all be thought boys---and one of the usual figures of your rhetoric made them so--I wish there had been no other unqualified assertion! But your doctrine of monopolies

lies (as given away in India,) was equally unwarrantable—"A monopoly of opium" you are made to say "was sold on the moment of the contract entered into for 40,000l. the next moment it was sold for another profit; and in the course of a short single day, with an almost equal enormity of advantage, was sent through a variety of hands."—By this account here must have been upwards of five lacks of rupees, perhaps ten lacks, made at once by the mere transfer of a contract from hand to hand; than which nothing was ever more remote from reason, from probability, from fact. The whole of your information in this business arises from the evidence of Mr. Higginson given before your Select Committee, who mentions it as a current *report* at Calcutta that the opium contract granted to Mr. Sullivan had been by him disposed of to another. Mr. Higginson could not ascertain the *truth of the report*; and I have very good grounds for believing it to be false. After all, the monopoly of opium, and some other monopolies, *must* of necessity subsist in some shape or other, as your new Directors, and new Sub-Directors, and new Governor General and Council will find—or the trade will go rapidly to ruin. I do not indeed pretend to dive into the system by which the

Despots of the present bill will render their appointments a benefit to the Proprietors and the Public ; but I am sure if they tamper with the established routine of the trade, if they unhinge the business of the investment, and try *experiments* in the commercial line, as is the fashion in the political, the Company's threatened insolvency will exceedingly anticipate the close of their present commission.

It is curious to observe the different grounds on which the present bill has been supported : the Right Honourable Secretary admitted that it was a violation of charter, but pleaded a precedent in the act of 1773, in *that act** which you at the time so manfully opposed on the very principle that it *was* a violation. You now take the opposite line, and deny *this* act (which is a thousand times more grossly subversive of our rights, than the former was) to be any violation at all—You soften it down to “ the “ generous modelling of charters that had been “ strictly forfeited for delinquency”—You say “ the “ equity of the present bill is unparalleled.” And you add that “ the *rights* and *property* of the “ India Company are safe as merchants, but their “ government is justly taken from them, as incom-
“ petent

* See Mr. Burke's speeches in the Parliamentary Register of 1773, printed by Almon.

“petent politicians.” Facts are utterly against you in the whole of these assertions. The company is no longer free; its rights no longer subsist, either to the merchant, to the proprietor, or the politician. This I undertake to prove. The accursed act of 1773 cramped them in all these capacities, and the present bill rivets their chains. It is the nature and essence of commerce to deal more or less upon credit. The merchant who sells upon trust, takes up money upon bills. His *real* capital supplies him with the means to raise, and authorises him to use a *fictitious* capital. He borrows money upon the strength of his stock: and if that stock be clearly responsible, and if his trade be extensive, his requisitions for a loan are almost sure of success. Former acts have deprived the Company of this necessary resource, of this resource which is open to every merchant. The Company cannot borrow but of Parliament. Let its stock be ever so large, let its commerce be ever so flourishing, let its assets be ever so demonstrably satisfactory, it is not permitted to avail itself of any or all of these advantages to procure an occasional supply of cash. This is the true foundation, Sir, of all the Company’s calamities. The goods in the warehouses must lie unfold, until the stated times of sale

sale bring together the customary purchasers: a glut of the market, or any other accidental cause, may occasion a temporary deficiency in the amount of the sales. But the export trade must in the mean time go on, the current demands must be discharged, the dividends must be regularly paid. Here *credit* would naturally step in to their relief. Goods are not *lost*, merely because they are not *sold*: though a man who does not want them, may not chuse to purchase them, it is not impossible but he may lend money at interest upon their security. Parliament has arbitrarily locked up that security, has annihilated that credit: which if it were to apply as a general law to the transactions of individual merchants, would most assuredly bring the whole city of London to bankruptcy in six months. Thus, then, in this first prohibition to borrow money, are contained the true seeds of the Company's present distresses, the destruction of their rights in a mercantile capacity. As the influenza of *experiment* is at this period particularly epidemic, I wish to my soul this absurd prohibition were suspended for a short time by way of trial. The afflux of cash which would come into the Treasury, would quickly convince you of the extent, of the stability of the Com-
 pany's

pany's credit, and speak more forcibly to the real prosperity of their affairs, than a thousand unsupported assertions in a certain House can depreciate them. If this clog be destructive of the rights of trade, there are hardships no less grievous imposed upon the proprietary. In General Courts was originally, and by charter, lodged the whole power and authority of the Company; every holder of 500*l.* stock had a right to vote in this assembly, and its meetings were regulated only by expediency. Twenty-four persons were *yearly* chosen *from among themselves*, to manage the current business, subject at all times to the controul of the General Court. The Proprietor of 500*l.* stock has now *no* vote; *six* Directors are now elected yearly, instead of twenty-four, and for *four* years instead of one. No sooner has a Director carried his election, than he flies in the face of his constituents, holds up the act of 1773 as the bulwark of his quadrennial dictatorship, and perhaps negotiates with the Minister, behind the skreen, for the erection of a new and unconstitutional tyranny on the ruin of the Company's privileges. Your *present* edict, which is so *generously to model the charter*, will precisely effectuate this salutary purpose. The General Court will now have

no controul whatsoever. It will no longer elect its own managers; *they* will be no longer chosen from its own body; they will no longer be responsible to it. Even the *nine shadows*, the make-weights of the directorial office, will be alike indifferent to the Proprietors' censure and applause: They are removable only by their masters, THE MIGHTY SEVEN. The very books of accounts, so essential to the satisfaction of the Proprietor, so necessary to his security, are no more to be open to his inspection. The report of the Company's property is to be made by the *Commissioners*, (I cannot bring myself to call them *Directors*, till they have made their triumphal entry into Leadenhall-street) and from that report there is no appeal. The servile Proprietor may attend at the Quarterly General Court, like a starved Parisian at the Hotel-de-Ville, gaping for his annuity, to hear such a statement of the general affairs, as his high and mighty Lords the *Septemviri* shall be graciously pleased to honour him withal. But no questions—no whispering—no remonstrances.

“ Such, as we have laid before you, is the Company's actual situation; here are *our* accounts according to act of Parliament, and here is *your* dividend. Pass your vote of thanks to my Lords

“ Com-

“ Commissioners, and dare no more approach this
 “ place, till this day three months.” A very generous
model this ; a very pleasant sound to the ears of an
 Englishman ! But it is at best a very accurate sketch
 of the substance of what will be uttered *ex cathedra*
 at the new General Courts. As the commercial and
 proprietorial rights of the Company have been thus
 essentially infringed by former acts of Parliament,
 their political power has been no less cautiously re-
 stricted. The original *Regulating Act* of 1773 en-
 joined the Directors of the East India Company to
 communicate to his Majesty’s Secretaries of State,
 all the information they should receive respecting the
 politics of India, and all the orders they meant to
 issue in consequence. The acts of their govern-
 ments, the state and management of their revenues,
 their whole system of administration at large and in
 detail, have been regularly submitted to the inspec-
 tion, and (as may be presumed from *two singular*
instances of disapprobation to particular paragraphs
 in the Company’s proposed letters to Bengal) to
the controul of his Majesty’s Ministers. The Court
 of Directors can neither have approved, nor censured
 any particular measure of their servants *abroad*, can
 neither have advised nor prohibited any plan of policy

or any act of government *from home*, but in conformity to ministerial sentiments, but with the implied approbation of the cabinet. It should seem then that we must admit one of the two following propositions; *Either*, that his Majesty's Ministers, in not correcting the errors, or reforming the plans of the Company's servants, as laid before them for examination, were no less *incompetent politicians* than the Court of Directors; *or*, that administration, by *purposely* concealing its lights and withholding its corrections, paved the way for its own violent assumption of the power and patronage of India, on a plea of the Company's imbecility. If the Ministry could suggest no better mode of action than that submitted to them by the present managers, they are alike *inadequate to the trust*. If their opinions were stifled, if their advice was dissembled, and their right of approbation insidiously prostituted to serve their own ends, they are *unworthy of it*.—You have taken upon you to prove, that the India Company have forfeited their charter, and *therefore* that the present bill, which is a modification, a *modelling* of that charter, is *lenient*, is *generous*, is *equitable*, *beyond parallel*. I will not ask you *how* the charter has been forfeited, because you will run over your black catalogue of rapine, plunder, robbery,

robbery, inhumanity, extortion, injustice, oppression, and murder—upon which I shall not join issue with you, until evidence be brought to the bar of the House. But I wish to know *when, at what specified time*, the charter was forfeited? If *previously* to the year 1773, all your eloquence at that period was thrown away: your abuse of the noble Lord now in office for his famous Regulating Act, will be deemed to have had no more connection with *truth* than with *decency*:* your vociferous exclamations against the *violation of all chartered rights in general*, as included in the violation of this one charter of the Company, were not only daring and intemperate, but *false, scandalous, and seditious*: your defence of the Company's servants of *that day*, your pamphlets, your speeches in their behalf, and in that of the great body they served, were mere convenient, catch-penny contrivances, insidious baits to hook in popularity. “*Regulation*” you could then discover to be† “*injustice*” and “*reform*” “*robbery*.” Have words altered their quality, has negation taken the place of assertion, since that memorable æra?—I much suspect it. If you date the Company's forfeiture of their charter

* See Mr. Burke's speeches in the year 1773, on the India Regulating Act—Published by Almon.

† Ditto.

subsequently to the year 1773, for what purpose did you go back into the annals of their first establishment in Asia, and to the treaty of Illahabad? Every thing, *upon your own principles*, was right and just and legal up to that year.* “It was *necessity*, not *choice*, that had involved the East-India Company “in war”—“They bore their own expences, *but they conquered for the state*,” (i. e. the present Ministry; and that part of your sentence has the merit of prophecy:) you cannot however deny, that the power of controul over all the politics of the Company’s territories abroad has virtually rested with his Majesty’s Ministers ever since 1773: so that *they* seem implicated in all the causes of forfeiture from thence up to the present day. But as a happy knack of reconciling inconsistent assertions may be one indispensable qualification to a ministerial appointment, I will admit the doctrine of necessity, in palliation of your palpable self-contradictions: wishing at the same time that they had been confined to objects of less national magnitude. In your allusion to the *Bank*, you stand, I think, alone, at least on the ministerial side of the House. Much has, no doubt, been said and felt without doors respecting the danger to which the charter of that *soul of the state* would be exposed, if the present bill should afford so glaring a precedent for its vio-

* See Mr. Burke’s speeches in 1783—Published by Almon.

lation. But your happy facility of putting a question is to silence all our murmurs, and to calm all our apprehensions. "If the Governors, (says Woodfall for you) "if the clerks, or other servants of the Bank, had mis-
 "applied the public money; if they had abused the
 "trust reposed in them, if they had almost brought
 "the nation to ruin, would it be unjust to use legis-
 "lative interference for the public protection?"—No
 surely; but then you should first bring *evidence* of
 this misapplication and breach of trust to the bar of
 the House: you should *prove* not only that the
 Bank had done wrong, but that it had possessed
 within itself the means of doing right; you should
prove that its acts had been *all its own*, and not
 liable to revision, to reformation, or suppression, by
 any superior authority; you should *prove* the *fact*
 both of the Bank's misbehaviour, and of the injury
 sustained by the public; you should *prove* that your
 legislative interference in behalf of the public would
 more than counterbalance the damage that would
 result to public credit by that very interference.
 Now, Sir, permit me the indulgence of a question;
 it shall be as short as your's. If the rioters in 1780
 had succeeded in their attack on the Bank; if in
 spite of all resistance made by the Directors, a mob
 had broken in and carried off two or three millions
 in

in hard cash, would the consequent distress of that body have justified the legislature in violating or annulling its charter? Such is exactly the distress of the East-India Company, arising principally from the losses of trade and heavy expences incidental to the late national war. It wants nothing but a little ready money, which the legislature will not suffer it to raise upon *its own credit*; it is, therefore, by this cruel act, laid at the mercy of Parliament, and Parliament now uses its power, acquired by a former stretch of power, in *most unmercifully* abridging the rights of the Proprietors, and new modelling (that is, annulling) the charter.—I am within bounds when I hint at the damage which will result to public credit by this bill. Damage has *already* resulted. India stock has fallen twenty per cent: Bank stock (the most solid and the most unfluctuating of all our funds) four per cent—the three per cents above two. Is not this a clear loss to the whole monied interest of the nation? a loss, which you can never make up from the revenues of India. I repeat what I have said in another place—that the produce of our territorial acquisitions in Asia can never be realized here but through the medium of the India trade. Until you can import more goods,

and

and *ensure their sale in Europe*, the country gentlemen may gape for a decrease of the land-tax, and the traders may petition for a recal of the stamps, but you will not be able to alleviate in the smallest degree the burthen of either. It is demonstrable, that the Company already import as much merchandize as they can possibly dispose of ; and that if more were brought to market, their price would so exceedingly diminish, as not only to absorb all the profits of the trade, but even the capital. *Twenty acts upon the present plan will neither so much benefit the Proprietors nor the public, as one which would decisively and effectually eradicate the practice of smuggling.* In the article of tea only, the Company is said to be defrauded of 1,000,000 per annum. Here is a subject for the display of patriotism, for the exercise of talents. Prevent this fraudulent occupation, and you will *then* have done somewhat towards deserving the wonderful salaries which yourself and your relations enjoy from the public purse.

You have been pleased to consider the opposition which has been made to the proposed India bill, as proceeding rather from an eager desire to overthrow the present Ministry, than from a conviction of the violence

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lence of the measure. “ to effect their removal,” say you, (I quote from Woodfall) “ no means, “ however unjustifiable, no acts, however unprecedented, have been scrupled to be practised, or “ left untried.” I most humbly conceive, Right honourable Sir, that it is very possible to oppose a ministerial bill in Parliament upon principle, upon conscience, upon conviction: that it is very decent, perfectly *justifiable*, and by no means *unprecedented*, to present an *account* at the bar, when a matter of account is to be argued: and that those persons who think their fortunes or privileges endangered by the operation of a new bill, are at liberty to publish their thoughts upon the subject, pending the discussion of the bill in either house. *Unjustifiable means*, and *unprecedented acts*, I take to be such as the *following*; an insidious advertisement promising 1000 guineas for a writer’s place at Bengal — The offer of 100l. for discovery of the writer of an incendiary letter, which most assuredly was never written — The industrious circulation of idle and groundless stories of the Governor General’s death, of his being crowned king of Bengal, or of his having involved the nation in a new war — An exclusion of impartial (or if you will, anti-ministerial) discussions on subjects

subjects of national importance, from the daily papers, by money. — By whom, and for what purpose, such acts have been applied (and the facts alluded to are of the most open and barefaced notoriety) it becomes not me to conjecture; but I will whisper in your ear, that they do not come from the opposers of the bill.

As it is perfectly understood, Sir, by the public, that in the present address I am not guilty of an unnecessary, voluntary, or officious presumption, that I now write merely in conformity to the known functions of my mission, and *from no personal motive whatever*, I cannot lay down my pen without advert-
 ing to a few circumstances, which, though not immediately contained in the *speech* I have just done myself the honour to discuss, are yet intimately connected with the subject before us, are of the utmost consequence to my *Principal*, and are generally allowed to *proceed from you*. A moment's reflection will inform you that I allude to the *eleventh Report from the Select Committee*. So criminatory a performance, so artfully interwoven with hints of mysterious concealment, with insinuations of guarded corruption, with mutilated extracts, and partial deduc-
 F tions,

tions, has not, I believe, been frequently exposed to public notice. It is not without concern, Sir, that I have perused this singular production, because, as you pointedly state in the work itself, "*Mr. Scott* "*professed himself perfectly uninstructed upon almost* "*every part of the subject.*" I now again assure you in the most solemn manner, that I have never received the smallest instruction upon the transactions alluded to in your Eleventh Report, and that this total silence of Mr. Hastings to me on the several articles *there* exhibited, conveys to my mind an irresistible conviction of his perfect innocence. As you have obligingly *recorded my incapacity* to defend my Principal on points where he never expected an attack, it would have been worthy of Mr. Burke's *known humanity* to have furnished the public with at least all those slender documents that *do subsist*, to have generously assisted my incapacity by the communication of those lights which enabled *him* to see his way so clearly through the mist of the present business, *to have published the Appendix together with the Report.* At such a critical moment to withhold so considerable and so necessary a part of the evidence, *for twelve days already*, and I know not how much longer the delay may endure, would in any
other

other man have been deemed cruel, indelicate, and unfair. Of circumstances so insidiously arranged, so partially worked up, and so imperfectly displayed, men can hardly have the chance of forming a liberal, candid, and favourable opinion: that they are mysterious at best, that they are so unfortunately obscure, as to be incapable of satisfactory explanation in their present state, I readily acknowledge, and I have already acknowledged it, to your Committee; but it is now incumbent on me to announce, *what in justice you ought to have announced in the Report*, that Mr. Hastings has informed the Court of Directors of his readiness to answer all questions respecting his receipt and disposal of presents “*upon his Oath and upon his oath.*” It will be too late to read this six months hence in your Appendix; your turn will have been long served, and the prejudice you intended to raise will have had full time to operate. But such concerns of the Governor General as relate to money, are out of my department; I can only declare upon my conscience and before God, that I know his fortune in England to be quite incompetent to his rank in life, that I never knew him to have expended a shilling in the purchase of any corrupt influence ei-

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✓ther here or abroad — that no grounds have ever been traced on which to found a plausible suspicion of any such transaction, and that I will stake my life upon his integrity.

I shall now, Sir, take my leave, with profound acknowledgements for the very polite and liberal manner in which you were pleased *yesterday* to turn me out of that most humane, impartial, just, and free assembly, *the Select Committee*. My intrusion proceeded from the mistaken notion that *Your's was an open Committee*.

I am, with all respect,

Right Honourable Sir,

Your most obedient,

Humble Servant,

JOHN SCOTT.

LONDON,

December 6, 1783.

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